

STATE OF SOUTH CAROLINA

(Caption of Case)

In Re: Application of Carolina Water Service, Inc.
for adjustments of Rates and Charges and
Modification of Certain Terms and Conditions for
the Provision of Water and Sewer Service.

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2011 - 47 - WS

(Please type or print)

Submitted by: Charles L.A. Terreni

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

- ☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously
- ☐ Other: _____

| INDUSTRY (Check one) | NATURE OF ACTION (Check all that apply) | | |
|--|--|--|--|
| <input type="checkbox"/> Electric | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Letter | <input type="checkbox"/> Request |
| <input type="checkbox"/> Electric/Gas | <input type="checkbox"/> Agreement | <input type="checkbox"/> Memorandum | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Electric/Telecommunications | <input type="checkbox"/> Answer | <input type="checkbox"/> Motion | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Electric/Water | <input type="checkbox"/> Appellate Review | <input type="checkbox"/> Objection | <input type="checkbox"/> Resale Agreement |
| <input type="checkbox"/> Electric/Water/Telecom. | <input type="checkbox"/> Application | <input type="checkbox"/> Petition | <input type="checkbox"/> Resale Amendment |
| <input type="checkbox"/> Electric/Water/Sewer | <input type="checkbox"/> Brief | <input type="checkbox"/> Petition for Reconsideration | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Gas | <input type="checkbox"/> Certificate | <input type="checkbox"/> Petition for Rulemaking | <input checked="" type="checkbox"/> Response |
| <input type="checkbox"/> Railroad | <input type="checkbox"/> Comments | <input type="checkbox"/> Petition for Rule to Show Cause | <input type="checkbox"/> Response to Discovery |
| <input type="checkbox"/> Sewer | <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition to Intervene | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Telecommunications | <input type="checkbox"/> Consent Order | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Discovery | <input type="checkbox"/> Prefiled Testimony | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Water | <input type="checkbox"/> Exhibit | <input type="checkbox"/> Promotion | <input type="checkbox"/> Tariff |
| <input checked="" type="checkbox"/> Water/Sewer | <input type="checkbox"/> Expedited Consideration | <input type="checkbox"/> Proposed Order | <input checked="" type="checkbox"/> Other: Response to ORS |
| <input type="checkbox"/> Administrative Matter | <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest | |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit | |
| | <input type="checkbox"/> Late-Filed Exhibit | <input type="checkbox"/> Report | |

**BEFORE THE
PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2011-47-WS**

CERTIFICATE OF SERVICE

I, Sarah Menzer, hereby certify that I have, on 2nd day of September, 2011, served Carolina Water Service's Response to Motion to Admit Documentary Evidence upon all parties of record, a copy of this document was sent via email and U.S. Mail, first class postage prepaid, to the following persons and addresses:

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BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2011-47-WS

| | | |
|---|---|---------------------------------|
| IN RE: Application of Carolina Water Service, |) | CAROLINA WATER SERVICE'S |
| Incorporated for Approval of an Increase |) | RESPONSE TO MOTION |
| In its Rates for Water and Sewer Services |) | TO ADMIT DOCUMENTARY |
| Provided to All of Its Service Areas in |) | EVIDENCE |
| South Carolina |) | |
| _____ |) | |

Carolina Water Service Incorporated ("Carolina Water") opposes the Office of Regulatory Staff's Motion to Admit Documentary Evidence on the grounds that its request to introduce transcripts of the proceedings held in Docket No. 2010-146-WS ("the Rule to Show Cause") is overly broad and would deprive Carolina Water of due process. While the Commission may take judicial notice of the pleadings and its orders in the case, to introduce the entire record (especially at this late date) including testimony given in a different proceeding, and for an entirely different purpose than the setting of rates, would deprive the parties of due process, specifically of the right to investigate and respond to the evidence for the purposes of this case, as well as of the right to cross-examine the witnesses who testified in the Rule to Show Cause. For the foregoing reasons, we urge that the ORS's motion must be denied.

Date:

9/2/11

Respectfully submitted


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